

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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VICTOR SERAFIN QUINONES,

Plaintiff,

v.

ROMEO ARANAS, *et al.*,

Defendants.

Case No. 3:19-cv-00120-MMD-CLB

ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION
OF MAGISTRATE JUDGE
CARLA L. BALDWIN

Plaintiff Victor Serafin Quinones brings this case pursuant to 42 U.S.C. § 1983. Before the Court is the Report and Recommendation (ECF No. 36 (“R&R”)) of United States Magistrate Judge Carla L. Baldwin, recommending denial of Defendant James L. Pincock’s motion to dismiss (ECF No. 27). Pincock filed an objection (ECF No. 36), which he later withdrew (ECF No. 39).

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party fails to object to a magistrate’s recommendation, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original); Fed. R. Civ. P. 72, Advisory Committee Notes (1983) (providing that the court “need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation”).

Because Pincock withdrew his objection, the Court need not conduct de novo review and is satisfied that there is no clear error. The Court will accept and adopt the R&R in full.

1 It is therefore ordered that the Report and Recommendation of Magistrate Judge
2 Carla L. Baldwin (ECF No. 36) is accepted and adopted in its entirety.

3 It is further order that Defendant Pincock's motion to dismiss (ECF No. 27) is
4 denied.

5 DATED THIS 16th day of August 2021.

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MIRANDA M. DU
9 CHIEF UNITED STATES DISTRICT JUDGE
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